

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Natnari Linwong	Team: Team # 2	CCRB Case #: 201011952	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 08/20/2010 9:00 PM	Location of Incident: § 87(2)(b)	Precinct: 28	18 Mo. SOL 2/20/2012	EO SOL 2/20/2012	
Date/Time CV Reported Tue, 08/24/2010 12:00 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 08/30/2010 6:57 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Flavio Rodriguez	00806	924407	028 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Francis Zito	00022	942746	028 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Flavio Rodriguez	Discourtesy: Sgt. Flavio Rodriguez spoke obscenely and/or rudely to § 87(2)(b)	§ 87(2)(b)

### Case Summary

On August 24, 2010, § 87(2)(b) filed a complaint with the IAB (log #10-42555). On August 30, 2010, the IAB referred the case to the CCRB.

On August 20, 2010, § 87(2)(b) was approaching his apartment building and saw two police officers, Sergeant Flavio Rodriguez and Officer Francis Zito, pulling up to two males who were sitting by a statue. § 87(2)(b) recognized one of the males and crossed the street to approach the group. Sergeant Rodriguez asked him, "Who the fuck are you?" and used other profanity in telling him to back away (Allegation A). § 87(2)(b) took out his iPod to record the incident and was arrested for § 87(2)(b).

§ 87(2)(b) provided the IAB with Sergeant Rodriguez's last name and said his tax number was 924401 and he was from the 28<sup>th</sup> Precinct. Sergeant Flavio Rodriguez is assigned to the 28<sup>th</sup> Precinct and his tax number is 924407; § 87(2)(g)

§ 87(2)(b) called to reschedule an interview planned for September 10, 2010 and missed an interview subsequently scheduled for September 24, 2010. On September 27, 2010, § 87(2)(b) told the undersigned investigator he would call back to reschedule. Between September 30 and October 7, the investigator placed four calls each to § 87(2)(b)'s home and work numbers and left voicemail messages with each attempt. Two letters were also sent to § 87(2)(b)'s home. The investigator has been unable to reach § 87(2)(b) since September 27, 2010, and he has not contacted the CCRB. A search conducted on the Department of Corrections website on October 12, 2010 confirmed that § 87(2)(b) is not currently incarcerated.

§ 87(2)(g)

Team: \_\_\_\_\_

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Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date